

11/24/65

DEED

BOSTON REDEVELOPMENT AUTHORITY, a public body, politic and corporate, duly organized and existing pursuant to Chapter 121 of the General Laws of Massachusetts, in consideration paid, grants unto Robert Leventhal, married to Eleanor M. Leventhal of 20 Drumlin Road, Newton, Middlesex County, Massachusetts, and Norman B. Leventhal, married to Muriel G. Leventhal, of 367 Dudley Road, Newton, Middlesex County, Massachusetts, as tenants in common in equal shares with QUITCLAIM COVENANTS the land in Boston, Suffolk County, Massachusetts, being three parcels described as follows:

Parcel 1. The fee to Pemberton Square as shown on a plan dated September 28, 1964, by Whitman & Howard, Inc., Engineers, recorded with Suffolk Deeds in Book 7894, Page 64, as it abuts Parcel 12A-1, as shown on said plan.

The southwesterly line of the property herein conveyed is bounded by land of the City of Boston, as shown on a plan by Whitman & Howard, Inc., Engineers, dated May 28, 1965, recorded with Suffolk Deeds in Book 7992, page 544.

Parcel 2. The fee to the center line of Cambridge Street (as Cambridge Street is shown on a plan by Whitman & Howard, Inc., Engineers, dated June 4, 1963, recorded with said Deeds in Book 7872, page 512) as abuts said Parcel 12A-1, as shown on said first mentioned plan.

Parcel 3. The fee to Pemberton Square as shown on said second mentioned plan, as said Pemberton Square abuts Parcel 12A as shown on said second mentioned plan to the extent that said fee was not included in Deeds from this grantor to these grantees dated August 6, 1964, recorded with said Deeds in Book 7872, page 512, and August 13, 1964, recorded with said Deeds in Book 7894, page 60.

The purpose of this Deed is to complete the grants intended by three Deeds of this grantor to these grantees, being said Deeds of August 6, 1964, and August 13, 1964, and one dated October 1, 1964, recorded with said Deeds in Book 7894, page 64.

In consideration of the grant of the above-described premises, the grantees covenant and agree for themselves, their successors and assigns, to subject Pemberton Square as herein granted and as previously granted from this grantor to these grantees to the following covenant:

The grantees agree for themselves, their successors and assigns that upon any taking by the City of Boston or the County of Suffolk of any portion of said Pemberton Square for the purpose of making improvements to the property known as the Suffolk County Courthouse, no claim for damages by reason of such taking will be made by them so long as such taking excludes or is made subject to all structural elements of the building to be constructed in or under the said Pemberton Square, and is made subject to the reasonable rights of the grantees to penetrate the surface of Pemberton Square for the purpose of repair, maintenance and ventilation of their structure thereunder (such rights to be exercised subject to the reasonable control of said City or County and including the obligation to restore said Pemberton Square or such improvements after penetration).

The premises are conveyed together with and subject to all easements, rights, covenants, obligations and other encumbrances referred to in deeds from this grantor to these grantees, dated August 6, 1964, recorded with Suffolk Deeds in Book 7872, Page 512 and with the Registered Land Division as Document No. 267629; dated August 13, 1964, recorded with said deeds in Book 7894, Page 60, dated October 1, 1964, recorded with said deeds in Book 7894, Page 64 and dated December 17, 1964 recorded with said deeds in Book 7922, Page 439, and in a Land Disposition Agreement, dated January 9, 1964, between the parties hereto as amended August 6, 1964, recorded with said deeds in Book 7872, Page 522 and Page 564 and with Registered Land Division thereof as Document No. 267630 and No. 267631,

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IN WITNESS WHEREOF the Boston Redevelopment Authority has caused this instrument in five (5) counterparts to be signed, sealed and delivered by its duly authorized officer on this day of November, 1965 and the individual parties have hereunto affixed their hands and seals on this day of November, 1965.

BOSTON REDEVELOPMENT AUTHORITY

By _____
Development Administrator

Signed, sealed and delivered
in the presence of:

APPROVED AS TO FORM:

General Counsel
Boston Redevelopment Authority

November 24, 1965

M E M O R A N D U M

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: EDWARD J. LOGUE, DEVELOPMENT ADMINISTRATOR

SUBJECT: GOVERNMENT CENTER - REVISION OF PARCEL 12 DEED

As you know, construction on the second phase of Parcel 12 is scheduled to begin within the next week. Since this will entail construction under Pemberton Square, the mortgagees have requested that we issue a confirmatory deed to Center Plaza Associates, clarifying and completing our intent to convey the fee in Pemberton Square (subject to the public right of travel) to Center Plaza Associates.

An appropriate vote and a proposed deed, confirming this intention and conveying a small sliver of the fee to Pemberton Square and to Cambridge Street, which we previously neglected to convey, are attached.